

Bingham McCutchen LLP
THOMAS E. KUHNLE (SBN 1041641)
email: tom.kuhnle@bingham.com
KRISTEN M. PEZONE (SBN 224057)
email: kristen.pezone@bingham.com
1900 University Avenue
East Palo Alto, CA 94303
Telephone: 650.849.4400
Facsimile: 650.849.4800

Attorneys for Defendant
BOSTON SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DONALD MASTERS,

Plaintiff,

v.

BOSTON SCIENTIFIC CORPORATION,
BOSTON SCIENTIFIC CORPORATION 2000
LONG TERM INCENTIVE PLAN and DOES 1-
50,

Defendant.

No. 5:07-cv-03792-JW

[PROPOSED] ORDER DENYING
PLAINTIFF'S MOTION FOR LEAVE
TO SERVE ADDITIONAL
INTERROGATORIES

Date: June 10, 2008
Time: 10:00 a.m.
Place: Ctrm. 4, Fifth Floor

Before: Hon. Howard R. Lloyd

Plaintiff's Motion for Leave to Serve Additional Interrogatories, associated declarations, and a proposed order were filed by counsel to Plaintiff Donald Masters ("Plaintiff") on April 24, 2008. Defendant Boston Scientific Corporation ("Boston Scientific") filed an opposition to Plaintiff's Motion, an associated declaration, and proposed order on May 20, 2008.

After consideration of the briefs, the Court DENIES Plaintiff's Motion. Of the 18 interrogatories Plaintiff proposed, Boston Scientific agreed to respond to interrogatories six of them, specifically 36-38 and 43-45. As to the remaining requests, Plaintiff has not shown good cause that the additional interrogatories are necessary. Interrogatories Nos. 28-35 and 40-42 are

1 unreasonably cumulative and duplicative and the burden and expense of Interrogatory No. 39
2 outweighs the benefit.

3 IT IS SO ORDERED.

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6 DATED: June 10, 2008

7 Hon. Howard R. Lloyd
8 Magistrate Judge
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